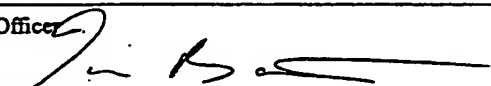


PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P23982PCAU	FOR FURTHER ACTION		See Form PCT/IPEA/416																								
International application No. PCT/AU2005/000016	International filing date (<i>day/month/year</i>) 10 January 2005	Priority date (<i>day/month/year</i>) 9 January 2004																									
International Patent Classification (IPC) or national classification and IPC Int. Cl. G07D 7/12 (2006.01) B07C 5/342 (2006.01)																											
Applicant SECURENCY PTY LIMITED et al																											
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 3 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 1 sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"><tr><td style="width: 10%;"><input checked="" type="checkbox"/></td><td style="width: 15%;">Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>				<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 27 October 2005		Date of completion of this report 28 April 2006																									
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929		Authorized Officer  I.A. BARRETT Telephone No. (02) 6283 2189																									

Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ The international application in the language in which it was filed
- ☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1-10 as originally filed/furnished

pages* received by this Authority on _____ with the letter of _____

pages* received by this Authority on _____ with the letter of _____

☒ the claims:

pages 11-13,15-17 as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* 14 received by this Authority on 27 October 2005 with the letter of 25 October 2005

pages* received by this Authority on _____ with the letter of _____

☒ the drawings:

pages 1-3 as originally filed/furnished

pages* received by this Authority on _____ with the letter of _____

pages* received by this Authority on _____ with the letter of _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-41	YES
	Claims	NO
Inventive step (IS)	Claims 1-41	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-41	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

Citations

(a) WO 1993/000224

(b) EP 1291199

(c) GB 2311130

(d) DE 19926733

(e) DE 19542995

New Citation

(f) WO 1999/037488 A1 (SECURENCY PTY. LTD.) 29 July 1999

The prior art cited in the search report (document a to e above) show that it is known to provide an optical element as a security device such that an image is projected and an optical detection means used to detect the projected image. The prior art does not use a DOE as defined at page 2 line 27-page 3 line 4 of the specification. Although the use of DOE's in security devices is known (as shown by WO 1999/037488 for example), there is nothing in citations (a) to (e) to lead a skilled worker to substitute a DOE for the optical elements used in the prior art cited. Use of DOE's appears to have advantages over the prior art. Even though a skilled worker in the art may have known of the existence of DOE's, it would not be a simple substitution of a DOE for the optical elements in the citations. A DOE would require a precisely positioned optical detector located at the position in space where the patterned beam of light from the DOE is reconstructed. The use of DOE's in security articles as claimed in the present claims is novel and appears to be inventive over the prior art cited.

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